**AMENDMENTS TO THE DRAWINGS**

The attached sheets of replacement drawings include function block labels and other changes as required by the Examiner.

## REMARKS

Reconsideration and allowance are respectfully requested.

The attached sheets of replacement drawings include function block labels as required by the Examiner. In addition, Figure 4 is amended to reverse the reference numerals 40 and 42 for consistency with the specification. The word "optional" is included in step 62 of Figure 6 and a line is added from step 60 to step 64 as the Examiner requests. Withdrawal of the objections to the drawings is requested.

The specification has been amended to correct typographical errors, improve grammar and idiom, and to employ a format more suitable to US patent practice.

Claims 1 and 8 have been amended to incorporate the subject matter of claim 2. New claims 14-19 have been added with support found, for example, in Figures 2 and 3 and at page 7, line 27-page 9, line 28.

Claims 1-12 stand rejected under 35 U.S.C. §102 as allegedly being anticipated by Tamai. This rejection is respectfully traversed.

To establish that a claim is anticipated, the Examiner must point out where each and every limitation in the claim is found in a single prior art reference. *Scripps Clinic & Research Found. v. Genentec, Inc.*, 927 F.2d 1565 (Fed. Cir. 1991). Every limitation contained in the claims must be present in the reference, and if even one limitation is missing from the reference, then it does not anticipate the claim. *Kloster Speedsteel AB v. Crucible, Inc.*, 793 F.2d 1565 (Fed. Cir. 1986). Tamai fails to satisfy this rigorous standard.

Tamai's objective is to balance the state of charge of the batteries in a battery pack. Col. 5, lines 21-29 state: "The DC--DC converter 24 will manage the SOC of the battery modules 14, 16, and 18 of the battery pack 13, notably the first battery module 14, to balance the SOC of the

battery module 14 to those of battery modules 16, and 18. The DC--DC converter 24 will transfer charge between the battery modules 14, 16, and 18 by monitoring the voltage levels of each battery module 14, 16, and 18 and transferring charge to the first battery module 14 by controlling Vout." In other words, Tamai is a like the "conventional equalizer" described the background in the paragraph bridging pages 1 and 2 and at page 8, lines 6-8 in the instant application.

In contrast, claims 1 and 8 use an applied voltage imbalance between series-connected batteries to, for example, charge the batteries at different voltages. See, e.g., claim 1 which recites: "controlling the voltage distribution of the two batteries to purposefully create an applied voltage imbalance between the two batteries of the battery system." Tamai does not use an applied voltage imbalance on different ones of the battery modules 14, 16, and 18. To the contrary, Tamai explains that "[t]he present invention balances SOC by imposing uniform module voltages across the battery pack 13." Col. 6, lines 12-13 (emphasis added). Although the claimed technology can be used to charge different series-connected batteries at different voltages, Tamai teaches the opposite—that "it is not possible to individually charge them [referring to battery modules 14, 16, and 18]." Col. 6, lines 41-42.

Thus, there is a fundamental difference between Tamai and claims 1 and 8 in that different batteries in the series-connected string receive an applied voltage level that is based on the measured voltage level of that battery. Any measured imbalance between the batteries is handled by creating an applied voltage imbalance between the connected batteries. Claim 14 captures this fundamental difference in a different way by reciting that the controller is "arranged to control the battery charger to charge the first battery at a first charging voltage based on the

first detected battery voltage and to charge the second battery at a second different charging voltage based on the detected on the detected second battery voltage."

The application is in condition for allowance. An early notice to that effect is requested.

Respectfully submitted,

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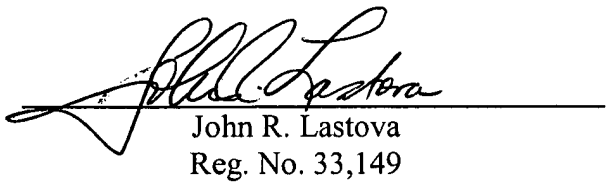
By: 
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